

REMARKS/ARGUMENTS

The Examiner's attention to the present application is noted with appreciation.

Drawings and Amendments to Specification. The paragraph beginning at page 5, line 26 is amended to correct the reference to intake manifold **16** in the last line, consistent with the description at page 5, line 27. The paragraph beginning at page 6, line 15 is amended to add a reference to "intake line **60**", as shown in FIGS. 1 and 2, consonant with the Examiner's suggestion.

A new paragraph is added after the paragraph ending on line 5 of page 7. This paragraph relates the substance of originally filed claims 8 through 10, and accordingly no new matter is added thereby.

With respect to the objection under 37 CFR 1.83(a), claims 8 and 20 are amended, as suggested by the Examiner, to delete the phrase "case having a turbine housing."

Claims Rejections – 35 U.S.C. § 102. Claims 1-3, 5-9, 11, 13-17 and 19-20 are rejected as being anticipated by Gladden et al. This rejection is respectfully traversed.

As amended, independent claims 1, 13 and 16 provide that the exhaust gas is filtered, such as by a diesel particulate filter, before the exhaust gas enters the compressor. As noted by the Examiner (see page 8 of the Office Action, 35 U.S.C. § 103(a) as unpatentable over Gladden et al. in view of Shibata et al.), "Gladden fails to disclose a diesel particulate filter." See also Gladden et al. at FIG. 1 and col. 4, line 49 bridging col. 5, line 27.

Because Gladden et al. does not disclose a diesel particulate filter for the exhaust gas entering the second stage of the compressor, which exhaust gas has not passed through a turbine, Gladden et al. accordingly does not anticipate.

Claims Rejections – 35 U.S.C. § 103. Claim 4 is rejected as being unpatentable over Gladden et al. in view of Coleman. Coleman is asserted to disclose a variable geometry turbocharger. However, because Gladden et al. does not anticipate, in that no diesel particulate filter is provided for exhaust gas entering the stage of the compressor, the invention is not unpatentable over the combination of Gladden et al. and Coleman.

Claims 10 and 18 are rejected as unpatentable over Gladden et al. in view of Shibata et al. Claims 10 and 18 are canceled; however, because the limitation of claims 10 and 18 are included in independent claims 1 and 16 as amended, this ground of rejection is further substantially addressed. Shibata et al. discloses a conventional EGR system, in which exhaust gas is used to power turbine **34**, and after exiting into exhaust passage **30** is passed through a diesel particulate filter **36** before entering a separate and distinct EGR-gas compressor **46** and turbine **48** (see FIG. 1). Thus the exhaust gas is necessarily at a decreased pressure, having been used to power the turbine.

The diesel particulate filter **36** of Shibata et al. thus serves a conventional purpose of filtering all exhaust leaving turbine **34**, and not just that portion entering second compressor **46**. In contradistinction, Applicant's invention as now claimed provides an intermediate pressure exhaust line, which is not used to power a turbine, and which is used only to provide a source of

exhaust gas for a second stage of a compressor. It is only this intermediate pressure exhaust line that includes a diesel particulate filter.

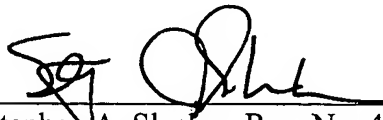
Use of a diesel particulate filter on an exhaust line downstream of a turbine, where the majority of the exhaust will be ambiently vented, does not teach or suggest a diesel particulate filter on an exhaust line directly interconnecting the engine outlet and a second compressor, where the exhaust gas will only be used to feed the second stage of a compressor. Thus the invention as now claimed is not unpatentable over the combination of Gladden et al. and Shibata et al.

Claim 12 is rejected as unpatentable over Gladden et al. in view of Woollenweber et al. Woollenweber et al. is asserted to disclose at least one emissions control device. However, because Gladden et al. does not anticipate, in that no diesel particulate filter is provided for exhaust gas entering the second stage of the compressor, the invention is not unpatentable over the combination of Gladden et al. and Woollenweber et al.

In view of the above amendments and remarks, it is respectfully submitted that all grounds of rejection and objection have been avoided and/or traversed. It is believed that the case is now in condition for allowance and same is respectfully requested.

Should the Examiner have any comments, questions or suggestions relating to a speedy disposition of the application, the Examiner is invited to telephone the attorney of record, Ephraim Starr (Reg. No. 41,325), at (310) 791-9120.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephen A. Slusher', is written over a horizontal line.

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